

1 MARK D. HARRISON (State Bar No. 142958)
2 SEAN K. HUNGERFORD (State Bar No. 200268)
3 ADAM K. GUERNSEY (State Bar No. 282105)
4 RUSSELL A. FRINK (State Bar No. 302522)
5 HARRISON, TEMBLADOR,
6 HUNGERFORD & GUERNSEY LLP
7 2801 T Street
8 Sacramento, CA 95816
9 Telephone: (916) 382-4377
10 Facsimile: (916) 382-4380
11
12 Attorneys for GRANITE CONSTRUCTION COMPANY
13 a California corporation, Plaintiff

14 UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 GRANITE CONSTRUCTION COMPANY, A
17 California corporation,

18 Plaintiff,

19 v.

20 COUNTY OF YOLO, a political subdivision
21 of the State of California, and YOLO
22 COUNTY BOARD OF SUPERVISORS,

23 Defendants.

Case No. 2:21-CV-01362-JAM-JDP
Hon. John A. Mendez

**AMENDED STIPULATION AND ORDER
MODIFYING PRETRIAL SCHEDULING
ORDER**

24 ///

25 ///

26 ///

AMENDED STIPULATION MODIFYING PRETRIAL SCHEDULING ORDER

Plaintiff GRANITE CONSTRUCTION COMPANY (“Plaintiff”) and Defendants COUNTY OF YOLO and YOLO COUNTY BOARD OF SUPERVISORS (“Defendants”), by and through their respective counsel, hereby stipulate and agree as follows:

WHEREAS this Court has established and amended deadlines for discovery and other matters through its Pretrial Scheduling Orders, dated October 4, 2021, March 23, 2022, June 1, 2022, and December 6, 2022 (ECF Nos. 11, 18, 21, 24).

WHEREAS the Parties have executed a settlement agreement and anticipate filing a dismissal with prejudice on or before June 24, 2023.

WHEREAS, the Parties jointly desire to extend the deadlines in the existing Pretrial Scheduling Order (ECF No. 24) based on the date that the Notice of Dismissal will be filed.

ACCORDINGLY, to accommodate the timeframe in which the dismissal will be filed pursuant to the signed settlement agreement, the Parties stipulate to amend the existing Pretrial Scheduling Order (ECF No. 24) to replace the existing deadlines with the proposed schedule listed in the table below:

Deadline	Existing Schedule (ECF No. 21)	Proposed Schedule
Joint Mid-Litigation Statement Filing Deadline	Fourteen (14) days prior to the close of discovery.	Fourteen (14) days prior to the close of discovery
Discovery Cutoff	April 28, 2023	July 28, 2023
Dispositive Motion Filing Deadline	June 30, 2023	September 15, 2023
Dispositive Motion Hearing	August 22, 2023 at 1:30PM	November 14, 2023 at 1:30 PM
Final Pretrial Conference	October 13, 2023 at 10:00AM	January 19, 2024 at 10:00AM
Trial	December 11, 2023 at 9:00AM	March 4, 2024 at 9:00AM

All other deadlines in the Court’s prior Pretrial Scheduling Order (ECF No. 24) shall remain unchanged.

So stipulated.

//

//

1 Dated: April 17, 2023

OFFICE OF THE COUNTY COUNSEL, YOLO
COUNTY

2
3
4 By: /S/ Eric May
Eric May
5 Senior Deputy County Counsel
6 Attorneys for Defendants COUNTY OF YOLO, a
7 and YOLO COUNTY BOARD OF
SUPERVISORS

8 Dated: April 17, 2023

HARRISON, TEMBLADOR, HUNGERFORD &
GUERNSEY LLP

10
11 By: /S/ Russell Frink
12 Russell Frink
13 Attorneys for Plaintiff GRANITE
CONSTRUCTION COMPANY
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

For good cause, this Court approves the Parties' proposed amendments to the existing December 6, 2022 Pretrial Scheduling Order, and hereby adopts the following schedule:

Deadline	Existing Schedule (ECF No. 21)	Proposed Schedule
Joint Mid-Litigation Statement Filing Deadline	Fourteen (14) days prior to the close of discovery.	Fourteen (14) days prior to the close of discovery
Discovery Cutoff	April 28, 2023	July 28, 2023
Dispositive Motion Filing Deadline	June 30, 2023	September 15, 2023
Dispositive Motion Hearing	August 22, 2023 at 1:30PM	November 14, 2023, at 1:30 PM
Final Pretrial Conference	October 13, 2023 at 10:00AM	January 19, 2024, at <u>11:00AM</u>
Trial	December 11, 2023 at 9:00AM	March 4, 2024, at 9:00AM

Counsel shall contact Judge Mendez' courtroom deputy, M York, via e-mail at myork@caed.uscourts.gov, prior to filing a stipulation and proposed order to continue the dates set forth in this order.

IT IS SO ORDERED.

Dated: April 17, 2023

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE